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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,633	11/26/2003	James Todhunter	03-118	9719
7590 12/07/2005			EXAMINER	
LAWRENCE S. COHEN 10960 Wilshire Blvd. Los Angeles, CA 90024			DAVIS, GEORGE B	
			ART UNIT	PAPER NUMBER
			2129	
DATE MAILED: 12/07/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/723,633	Applicant(s) JAMES TODHUNTER	
	Examiner George Davis	Art Unit 2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>20050404</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because figures 1-7, at the bottom of the sheets, delete numbers 13-19 respectively; figure 10 is a duplicate of figure 4; and figures 5, 6 and 10, at the left corner, delete the date. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

2. The disclosure is objected to because of the following informalities: figures 8 and 9 are not described in the "Brief Description of the Drawings" and figure 7 is not described in the "detailed description of Illustrative Embodiments of the Invention".

Appropriate correction is required.

***Claim Objections***

3. Claims 1-15 are objected to because of the following informalities:

Claim 1, line 2, delete "(1)" and insert - - : a - -.

Claim 1, line 3, delete "(2)" and insert - - an - -.

Claim 1, line 4, delete "(3) automatic" and insert - - automatically - -.

Claim 1, line 5, delete "above".

Claim 2, line 2, delete "said system including" and insert - - said system comprising: - -.

Claim 2, line 2, delete "identification of" and insert - - identifying - -.

Claim 2, line 3, delete "said system including".

Claim 2, line 3, delete "a" and insert - - the - -.

Claim 2, lines 4 and 5, delete "said system including".

Claim 2, line 5, after "database" delete "," and insert - - ; and - -.

Claim 2, line 6, delete "thereof" and "respectively".

Claim 3, line 2, after "comprising" insert - - : - -.

Claim 3, line 3, delete "," and insert - - ; - -.

Claim 3, line 4, delete "," and insert - - ; and - -.

Claim 3, line 6, before "said" insert - - , wherein - -.

Claim 3, line 8, before "user" insert - - a - -.

Claim 3, line 8, delete "to generate" insert - - for generating an - -.

Claim 3, line 10, delete "to generate" insert - - for generating - -.

Claim 3, line 11, before "automatic" insert - - an - -.

Claim 3, line 13, delete "to " insert - - for - -.

Claim 3, line 13, delete "submit" insert - - submitting - -.

Claim 3, lines 15 and 16, delete "to provide through the output device responses" and  
insert - - for providing - -.

Claim 3, line 16, after "base" insert - - to the output device - -.

Claims 4-14, line 1, after "3" insert - - , - -.

Claim 5, line 2, delete "to generate" insert - - for generating - -.

Claim 11, line 2, delete "to access" insert - - for accessing - -.

Claim 11, line 3, delete "," insert - - : - -.

Claim 11, line 5, delete "," insert - - ; - -.

Claim 11, line 6, delete "," insert - - ; and - -.

Claims 13 and 14, line 5, after "query" insert - - . - -.

Claim 15, line 1, after "11" insert - - , - -.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Pustejovsky et al, U.S. Patent Publication No. US 2002/0120651 A1.

As per claim 1, Pustejovsky discloses problem identification (solving issues such as book processing information of an electronic book, see section 0018, lines 3 and 4), automatic problem reformulation as a natural language or Boolean query (see section 0030, lines 4 and 4) and automatic submitting the above query to a database (see section 0034, last line and section 0038, line 2).

As per claim 2, Pustejovsky discloses identification of a problem (solving issues such as book processing information of an electronic book, see section 0018, lines 3 and 4), formulating a problem as a natural language or Boolean query (section 0030, lines 4 and 5), a database (see section 0034, line 9 and last line, section 0038, line 2 and figure 2, device 240), and submitting said query thereof to said database

respectively (see section 0034, last line and section 0038, line 2).

As per claim 3, Pustejovsky discloses a program embodied on a computer readable storage medium (see figure 2, device 243), a computer having an output device (see figure 2, device 249), a central processing unit (see figure 2, device 241), a communication means to one or more knowledge search engines and databases (a knowledge search engine and a database define a knowledge base) (see section 0034, last four lines), a program comprising a portion or portions responsive to user input to generate identification of a problem (see figure 2, device 249) a portion or portions to generate from the identification of the problem automatic reformulation of the problem as a natural language query (see section 0040, lines 12 and 13) a portion or portions to automatically submit the query to at least one knowledge base (see section 0035, lines 1 and 2) and a portion or portions to provide through the output device responses from the at least one knowledge base (see section 0034, last four lines).

As per claim 4, Pustejovsky discloses the problem reformulation as a natural language query is done by a portion or portions of the program that translates functional relationships into semantic relationships (see section 0038, lines 1 and 2 and section 0034, last ten lines).

As per claim 5, Pustejovsky discloses said portion or portions of the program to generate reformulation of the problem generate reformulation of the problem as a natural language query or as a Boolean query (see section 0030, lines 4 and 5).

As per claim 6, Pustejovsky discloses at least one knowledge base is a semantic analysis knowledge base (section 0034, last four lines).

As per claim 7, Pustejovsky discloses the knowledge base is resident on storage medium co-located with the computer (see section 0034, last four lines and figure 2).

As per claim 8, Pustejovsky discloses the knowledge base is resident on a corporate server (it is inherent that a computer that has knowledge base can operate in a server environment).

As per claim 9, Pustejovsky discloses the knowledge base is remotely accessed (see figure 2 and section 0034, last four lines).

As per claim 10, Pustejovsky discloses the knowledge base is a patent collection that is remotely accessed (electronic page collection, see abstract, lines 5 and 6).

As per claim 11, Pustejovsky discloses the program has a portion or portions to access a plurality of knowledge bases (see section 0034, last four lines) that are selected from at least one knowledge base resident on a storage medium co-located with the computer (see section 0034, last four lines and figure 2), at least one knowledge base on a corporate server (it is inherent that a computer that has knowledge base can operate in a server environment) and at least one knowledge base accessed by an internet link (it is inherent that a knowledge base can operate in an internet environment).

As per claim 12, Pustejovsky discloses the query is submitted to the at least one knowledge base without intervention by a user (see figure 2, device 243, 232 and 240).

As per claim 13, Pustejovsky discloses identification of the problem is done an analysis of functional relationships between components under consideration (see section 023, lines 1-3) and the automatic reformulation as a query is done by translating



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a functional relationship into a natural language query (see section 0030, lines 4 and 5).

As per claim 14, Pustejovsky discloses identification of the problem is done by root cause analysis that establishes one or more nodes between events under consideration (see figure 1, devices 231, 233, 235, 237 and 239) and the automatic reformulation translates a node into a natural language query (see section 0030, lines 4 and 5).

As per claim 15, Pustejovsky discloses at least one of said knowledge bases is a semantic analysis knowledge base (see section 0034, last ten lines).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Davis whose telephone number is (571) 272-3683. The examiner can normally be reached on Monday through Friday from 10:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Vincent, can be reached on (571) 272-3080. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3800.

December 3, 2005



GEORGE B. DAVIS

PRIMARY PATENT EXAMINER